



# City Council Agenda

Council President  
**Ken Steitz**

Councilmembers

**Tom Boyajian**  
**Garry Bredefeld**  
**Chris Mathys**, Acting Council President

**Henry Perea**  
**Sal Quintero**  
**Daniel Ronquillo**

City Manager  
**Jeffrey M. Reid**

City Clerk  
**Rebecca E. Klisch**

City Attorney  
**Hilda Cantú Montoy**

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 498-1321

The City Council welcomes you to this meeting.

**TUESDAY, AUGUST 17, 1999**

**IF YOU WOULD LIKE TO SPEAK, FILL OUT A SPEAKER REQUEST FORM AVAILABLE FROM THE CITY CLERK'S OFFICE AND IN THE COUNCIL CHAMBERS. THE AGENDA IS AVAILABLE ON ([www.ci.fresno.ca.us](http://www.ci.fresno.ca.us)). THE COUNCIL MEETING CAN ALSO BE HEARD LIVE AT THE SAME WEB SITE ADDRESS.**

**8:30 A.M.**

**JOINT MEETING WITH THE REDEVELOPMENT AGENCY**

Approve Agency minutes of July 27 and August 6, 1999

**Action Taken:**

- A. HEARING** - To consider the following actions relating to the proposed Providence Baptist Church Project in the Southwest Fresno GNRA Redevelopment Project Area

**Action Taken:**

- 1. RESOLUTION** - Approving the Forbearance and Disposition and Development Agreement (DDA) between the Redevelopment Agency and Providence Baptist Church, Inc., for the development of a church on property located along the west side of S. Walnut Avenue at E. Lorena Avenue, and making certain findings as required under redevelopment law; and (*Council and Agency action*)

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

8:30 A.M.

**JOINT MEETING WITH THE REDEVELOPMENT AGENCY CONTINUED**

2. Authorize the Executive Director, or his designee, to negotiate and execute a Purchase Agreement for the acquisition of Assessor's Parcel No. 477-142-07, on the terms presented; and *(Agency action)*

**Action Taken:**

3. Authorize and direct the Executive Director to execute all documents as necessary to carry out the purpose and intent of the DDA, e.g., the signing of deeds from the Agency to Providence Baptist Church, Inc., accepting the deed for the 1997 site, and any escrow instructions *(Agency action)*

**Action Taken:**

- B. CONTINUED HEARING -** To consider Agency Board and City Council approval of the following actions regarding the Southwest Fresno Police Substation at the Kearney Palms Shopping Center Project

**Action Taken:**

1. **RESOLUTION -** (a) Approving a Cooperation Agreement and Agreement to Finance and Construct Police Substation," between the Redevelopment Agency and City of Fresno, and (b) making certain findings pursuant to Health and Safety Code Sections 33445 and 3367; and *(Council and Agency action);*

**Action Taken:**

2. Authorize the Agency Executive Director and City Manager, or their designees, to execute and administer the contract; and *(Council and Agency action)*

**Action Taken:**

3. Approve the amended scope of services/fee schedule with S.I.M. Architects and the Redevelopment Agency for additional design and construction drawings of the 8,400 square-foot Police Substation Facility and authorize the Agency Executive Director, or his designee, to enter into an amended agreement with S.I.M. Architects *(Agency action)*

**Action Taken:**

- C.** Consider Agency Board approval of a Professional Services Agreement by and between the Redevelopment Agency and Boyle Engineering Corporation for design services of street widening and reconstruction improvements relative to the Federal Economic Development Administration Grant for Roeding Industrial Business Park; and authorize the Agency Executive Director, or his designee, to execute and administer the contract *(Agency action)*

**Action Taken:**

**ADJOURN AGENCY**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

## **9:00 A.M. COUNCIL ROLL CALL**

Invocation by Father Lawrence of St. James Episcopal Cathedral

Pledge of Allegiance to the Flag

Proclamation of "JAMES MILTON DAY" - Councilmember Boyajian

Proclamation of "STEVEN SMITH DAY" - Acting President Mathys

Proclamation of "POLICE OFFICER BRENDA TROBAUGH DAY" - Councilmember Quintero

**COUNCIL ACTION OF UNSCHEDULED ITEMS, IF ANY, SHALL BE LIMITED TO REFERRING THE ITEM TO STAFF FOR A REPORT AND POSSIBLE SCHEDULING ON A FUTURE COUNCIL AGENDA FOR EACH MATTER CONSIDERED BY THE COUNCIL, THERE WILL FIRST BE A STAFF PRESENTATION, FOLLOWED BY A PRESENTATION FROM THE PROJECT APPLICANT. TESTIMONY FROM THOSE IN ATTENDANCE WILL THEN BE TAKEN. ALL TESTIMONY GIVEN WILL BE LIMITED TO THREE MINUTES PER PERSON.**

**THE THREE LIGHTS ON THE PODIUM NEXT TO THE MICROPHONE WILL INDICATE THE AMOUNT OF TIME REMAINING FOR THE SPEAKER. THE GREEN LIGHT WILL BE TURNED ON WHEN THE SPEAKER BEGINS. THE YELLOW LIGHT WILL COME ON WITH ONE MINUTE REMAINING AND ONE TONE WILL SOUND. THE SPEAKER SHOULD BE COMPLETING THE TESTIMONY BY THE TIME THE RED LIGHT COMES ON AND TWO TONES SOUND, INDICATING THAT TIME HAS EXPIRED.**

Approve Council minutes of July 27, 1999

**Action Taken:**

Approve Agenda

**Action Taken:**

Adopt Consent Calendar

**Action Taken:**

## **TIME SCHEDULED HEARINGS AND MATTERS**

**9:30 A.M.** Appearance by Stan Santos to request a statement of City Council support on behalf of Alejandra Mendoza, her seven children and 18 grandchildren

**Action Taken:**

**9:35 A.M.** Appearance by Tou Long Lo, Hmong National Council Inc., to discuss a rape case and police arrest

**Action Taken:**

**9:40 A.M.** Appearance by Barbara Hunt to discuss a homeless shelter and a drug and alcohol program

**Action Taken:**

**9:45 A.M.** Appearance by David Wells to request the City Council to re-bid the purchase of two (2) hybrid electric buses

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**10:00 A.M.** Approve extension of 1999 Fresno Falcons license agreement for one (1) year or approve a three (3) year license agreement with performance criteria - Councilmember Perea

**Action Taken:**

**10:30 A.M.** **HEARING** relating to regional air quality issues and alternative power sources - Councilmember Perea

**Action Taken:**

**10:45 A.M.** **HEARING** to consider Rezoning Application No. R-93-17, filed by Spalding Wathen, for 16 acres of a 24-acre site, related to Vesting Tentative Tract No. 4582, located on the northeast corner of N. Polk and N. Santa Fe Avenues

**Action Taken:**

1. **BILL** - Amending the Official Zone Map from the AE-5/EA/UGM zone district to R-1/EA/UGM zone district

**Action Taken:**

**11:00 A.M.** **HEARING** to consider Plan Amendment No. A-99-15, Rezoning Application No. R-99-24, filed by Dirk Poeschel, representing Calcot LTD and Vendo Company, for property located northwest of the N. Ingram Avenue and new W. Alluvial Avenue alignment intersection  
(Continue to August 24, 1999 at 11:00 a.m.)

**Action Taken:**

1. **RESOLUTION** - Amending the Bullard Community Plan

**Action Taken:**

2. **BILL** - Amending the Official Zone Map for two property areas: Land Area A of 2+ acres from the AE-20/UGM to the C-M zone district; and Land Area B of 5.43 acres from the M-3 to C-M zone district; and to eliminate the “cz” overlay zone district established by R-95-10 for the entire Tract Map No. 4637

**Action Taken:**

**11:30 A.M.** **HEARING** to consider Plan Amendment No. A-99-08 and Rezoning Application No. R-99-17, filed by Balbir Grewal, for .25 acre of property located on the east side of N. Blackstone Avenue between E. Shields and E. Clinton Avenues

**Action Taken:**

1. **RESOLUTION** - Amending the McLane Community Plan

**Action Taken:**

2. **BILL** - Amending the Official Zone Map from the R-1 to the C-5 zone district

**Action Taken:**

**2:00 P.M.#1**

**DISCUSSION OF CONTESTED CONSENT ITEMS (IF ANY)**

***\*ITEMS SUBJECT TO MAYOR’S VETO OR RECONSIDERATION***

## **TIME SCHEDULED HEARINGS AND MATTERS CONTINUED**

**2:00 P.M.#2**

### **CLOSED SESSION**

**A. CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION -**

Government Code Section 54956.9, Subdivision (b)

**Significant Exposure to Litigation:**

1. Claim of Lewis Mercado

**Action Taken:**

**B. CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION -** Government Code Section 54956.9, Subdivision (a)

1. **Case Name:** Kenneth Linder v. City of Fresno
2. **Case Name:** Haas v. County of San Bernardino (amicus brief)
3. **Case Name:** Fresno City Employees Association v. City of Fresno, et al.
4. **Case Names:** Civic Center Square, Inc. v. City of Fresno; Fresno Superior Court No. 612624-7  
City of Fresno v. Civic Center Square, Inc., et al.; Fresno Superior Court No. 612629-6  
City of Fresno v. Gordon Webster, et al.; Fresno Superior Court No. 612630-4  
City of Fresno v. Civic Center Square, Inc., Fresno Superior Court No. 612631-2

**Action Taken:**

**5:00 P.M.** Determination to hold a public hearing to review the Fresno City Planning Commission's action on Conditional Use Permit No. C-99-070, filed by Robert Ellis, for 20,560 square feet, located at 830 Fresno Street - Councilmember Ronquillo

**Action Taken:**

**6:00 P.M.** Determination to hold a public hearing to review the Fresno City Planning Commission's action on Site Plan Review No. S-99-89, project located at the southeast corner of W. Whitesbridge Road and S. Hughes Avenue (Green's Recycling) - Councilmember Ronquillo

**Action Taken:**

**1A. GENERAL CONSENT CALENDAR**

**(ALL CONSENT CALENDAR ITEMS ARE CONSIDERED TO BE ROUTINE AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THESE ITEMS UNLESS REQUESTED, IN WHICH EVENT THE ITEM WILL BE REMOVED FROM THE CONSENT CALENDAR AND CONSIDERED AT 2:00 P.M.)**

1. **RESOLUTION** - Dedicating a portion of a Water Well Site on the east side of Marks Avenue south of San Jose Avenue for public utility purposes

**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

1A. **GENERAL CONSENT CALENDAR CONTINUED**

2. \* **RESOLUTION** - Authorizing the City Manager to enter into and sign agreements related to the use of facilities in connection with the trigger lock distribution program - Councilmember Bredefeld  
**Action Taken:**
3. Award a contract for construction of a 10-megawatt electrical substation at the Fresno/Clovis Reclamation Facility  
**Action Taken:**
4. Award a contract for Well Site improvements at Pump Station 2B  
**Action Taken:**
5. **RESOLUTION** - Authorizing the City of Fresno to enter into an agreement with the 21<sup>st</sup> District Agricultural Association to provide policing services at the 1999 Fresno District Fair  
**Action Taken:**
6. \* **RESOLUTION** - 9<sup>th</sup> amendment to AAR No. 99-181 appropriating \$50,000 to accept State of California Department of Alcoholic Beverage Control funding for the Fresno Police Department's Grant Assistance to Local Law Enforcement Agencies Program (**Requires 5 affirmative votes**)  
**Action Taken:**
7. Approve agreement with Harold Sherfy for lease of land for a community science workshop site, property located at 2020 E. Pontiac  
**Action Taken:**
8. Approve a ten (10) year extension of a Lease and Management Agreement with Ebitgolf, Inc. to operate the Riverside Municipal Golf Course  
**Action Taken:**
9. \* **RESOLUTION** - Approving the application for grant funds from various special appropriations for the restoration of the Meux Home  
**Action Taken:**
  - a. \* **RESOLUTION** - 14th amendment to AAR No. 99-181 appropriating \$73,900 of special local assistant State grant resources for restoration of the Meux Home (**Requires 5 affirmative votes**)  
**Action Taken:**
10. **RESOLUTION** - Authorizing the purchase of American Body Armor Xtreme armor ballistic vests without advertised bidding under the sole source exception  
**Action Taken:**

1B. **CONSENT CALENDAR - BILLS FOR INTRODUCTION - PINK TABS**

2. **PLANNING AND ZONING ADMINISTRATION**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

3. **GENERAL ADMINISTRATION**

- A. Consider landfill closure and regional sports complex cost estimates versus budget appropriations  
**Action Taken:**
- B. Request reconsideration of Council's failure to elect to pass through property tax from the Redevelopment Agency to the General Fund - Mayor Patterson  
**Action Taken:**

4. **CITY ATTORNEY**

5. **CITY COUNCIL**

- A. \* **RESOLUTION** - 12<sup>th</sup> amendment to AAR No. 99-181 appropriating \$25,700 of District 2's general fund infrastructure budget to fund non-infrastructure related projects for a handicap ramp at the dog park and a refrigerator at the Pinedale Community Center - Acting President Mathys (***Requires 5 affirmative votes***)  
**Action Taken:**
- B. \* **RESOLUTION** - 11<sup>th</sup> amendment to AAR No. 99-181 appropriating \$5,000 of District 5's general fund infrastructure budget to fund a non-infrastructure related project for Operation Mounted Patrol - Councilmember Quintero (***Requires 5 affirmative votes***)  
**Action Taken:**
- C. **RESOLUTION** - Supporting an application by the Sequoia Community Health Foundation for Rural Community Assistance Corporation Planning Grant - Councilmember Ronquillo  
**Action Taken:**
- D. Approve appointment of Council President Steitz to the Design Review Committee created for building an Amtrak station pursuant to the Memorandum of Understanding (MOU) between County of Fresno and City of Fresno on December 30, 1994 - Council President Steitz  
**Action Taken:**
- E. Proposed appointment of Linda O'Neal to the Commission on the Status of Women - Councilmember Bredefeld (***for introduction***)  
**Action Taken:**
- F. Approve appointment of Max Futrell, Ed.D. to the Civil Service Commission - Mayor Patterson (***for adoption***)  
**Action Taken:**
- G. Ratify appointments made July 27, 1999, of Councilmembers Boyajian, Perea and Ronquillo to the Infill Revitalization Committee - Council President Steitz  
**Action Taken:**
- H. Proposed appointment of Jose Arechiga to the Fresno Workforce Development Board - Councilmember Boyajian (***for introduction***)  
**Action Taken:**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***

5. **CITY COUNCIL ITEMS CONTINUED**

- I. Request City Manager, or designee, to permanently eliminate the Operation Clean-Up Program during the month of December and re-schedule between the months of January and November - Acting President Mathys  
**Action Taken:**
- J. Proposed appointment of Lula Fairley to the Commission on the Status of Women - Councilmember Quintero (*for introduction*)  
**Action Taken:**
- K. Request City Manager, or his designee to direct staff to find funding for development fees associated with Wilberforce Project - Councilmember Ronquillo  
**Action Taken:**
- L. Proposed appointment of Ardell Barnes to the San Joaquin River Conservancy Board - Councilmember Perea (*for introduction*)  
**Action Taken:**
- M. Request City Manager to direct staff to create task force for the purpose of establishing standards of review for charter schools - Councilmember Ronquillo  
**Action Taken:**
- N. Proposed appointment of Hanno Powell to the Housing and Community Development Commission - Mayor Patterson (*For introduction*)  
**Action Taken:**

6. **CITY/COUNTY INTERGOVERNMENTAL RELATIONS**

7. **UNSCHEDULED ORAL COMMUNICATIONS** - You may address the City Council at the conclusion of the Council meeting regarding items that are not listed on the agenda. The policy is to limit your presentation to three (3) minutes pursuant to Ordinance No. 96-67. Please be present at the conclusion of the meeting if you wish to be heard. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date of appearance.

**SCHEDULED COUNCIL HEARINGS AND MATTERS**

- Aug. 24 - 11:00 A.M.**      **CONTINUED HEARING** re P.A. No. A-99-15, Rezone Appl. No. R-99-24, filed by Dirk Poeschel, representing Calcot LTD and Vendo Company
- Aug. 24 - 3:00 P.M.**      Report on Selland Arena/Old Exhibit Hall expansion/remodel - Councilmember Perea
- Aug. 31 - 9:30 A.M.**      **TEFRA HEARING** - Camelot Lakes Apts., located at 937 N. Peach Avenue
- Aug. 31 - 10:00 A.M.**      **HEARING** re: TA-99-01, Variety Pak #1- Amending various section of Zoning Ordinance

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***



## **SCHEDULED COUNCIL HEARINGS AND MATTERS**

- Aug. 31 - 10:05 A.M.**      **HEARING** re: TA-99-02, Variety Pak #2 - Amending other various section of the Zoning Ordinance
- Aug. 31 - 10:30 A.M.**      **HEARING** re: P.A. No. 99-13, Rezone Appl. No. R-99-22, filed by Dewayne Zinkin
- Aug. 31 - 11:00 A.M.**      **HEARING** re: adoption of Resolution of Necessity for property located at the northwest corner of Alluvial and Chestnut, UGM Tract 4514, APN 404-071-42
- Sept. 7 - NO MEETING - COUNCIL VACATION**
- Sept. 14 - NO MEETING - COUNCIL VACATION**
- Sept. 21 - 10:00 A.M.**      **HEARING** re: P.A. No. 99-11, Rezone Appl. R-99-21, filed by DMP Development
- Sept. 21 - 11:00 A.M.**      **HEARING** re: P.A. No. A-99-10, Rezone Appl. No. R-99-15, filed by Brian Davies on behalf of Highland Enterprises
- Sept. 28 - 10:00 A.M.**      **HEARING** re: Community Facilities District No. 2, Annexation No. 13
- Sept. 28 - 10:30 A.M.**      **HEARING** re: P.A. No. 99-06, Rezone Appl. No. R-99-14, filed by Jeff Roberts representing Granville Homes
- Oct. 12 - NO MEETING - LEAGUE OF CALIFORNIA CITIES CONFERENCE**
- Nov. 23 - NO MEETING - THANKSGIVING WEEK**
- Dec. 21 - NO MEETING - CHRISTMAS WEEK**
- Dec. 28 - NO MEETING - NEW YEAR'S WEEK**

***\*ITEMS SUBJECT TO MAYOR'S VETO OR RECONSIDERATION***